**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

**THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929**

**WP(C).No. 30339 of 2007**

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**AGAINST THE ORDER IN EP.149/2006 IN OS.704/1999 OF PRL. MUNSIFF COURT, .KOZHIKODE-I**

**.....**

**PETITIONER:**

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**STEPHEN JOHN, S/O.JOHN,**
**AGED 45 YEARS, S.B.APARTMENTS, CHEVARAMBALAM,**
**KOZHIKODE.**

**BY ADV. SRI.R.SUDHISH**
**SMT.M.MANJU**

**RESPONDENTS:**

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**BENUR TRADERS AND INVESTMENTS**
**PVT LTD., REPRESENTED BY ITS MANAGER,**
**KANDOMKULAM CROSS ROAD, CALICUT.**

**BY ADV. SMT.P.A.REZIYA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO: 30339/2007**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1. COPY OF THE ISSUED BY THE RESPONDENT.**

**EXT.P2. COPY OF THE AFFIDAVIT IN SUPPORT OF THE PETITION EA NO. 544/2007 FILED BY THE PETITIONER BEFORE THE COURT BELOW.**

**EXT.P3. COPY OF THE AFFIDAVIT IN EA NO. 545/2007 FILED BY THE PETITIONER BEFORE THE COURT BELOW.**

**RESPONDENT'S EXHIBITS** **NIL.**

*True copy*

*tga*

**M.N.KRISHNAN, J**

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**W.P.(C) No.30339 OF 2007**

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**Dated this the 15th day of November 2007**

**JUDGMENT**

This writ petition is filed for a direction to the Prl.Munsiff's Court-I, Kozhikode to recall the Amin and to consider Exts.P2 and P3 applications. Ext.P2 application is to recall the warrant and Ext.P3 is also to recall the Amin and direct him not to execute the warrant. Learned counsel for the petitioner submits that his client is prepared to settle the matter and pay the amount to the decree holder. Therefore, I direct the court below not to execute the warrant of arrest for a period of six weeks. Meanwhile the decree holder and the judgment debtor can settle the matter. In case of default, the executing court is at liberty to execute the decree.

Writ petition is disposed of as above.

**M.N.KRISHNAN, JUDGE**

**Cdp/-**